



U.S. Immigration
and Customs
Enforcement

ICE Statement

December 20, 2005

STATEMENT ON OPERATION COMMUNITY SHIELD PROTESTS

Gang membership is not part of the “American dream.” U.S. Immigration and Customs Enforcement (ICE) finds it ironic that special interest groups calling for “justice” would advocate turning a blind eye to lawbreakers who bring violence and misery to neighborhoods around the nation. To ignore gang members who violate the law would not only undermine the rule of law, but it would also betray those communities most victimized by gang violence.

ICE has arrested more than 1,760 individuals nationwide since Operation Community Shield was launched in February 2005 to combat gang-related violence and dismantle criminal street gangs. Those arrested to date include nearly 800 members of the violent street gang Mara Salvatrucha (MS-13), as well as more than 40 different gang leaders.

Federal studies have shown that certain ethnic communities in this country are victimized by gang violence more than others. According to a June 2005 report by the Bureau of Justice Statistics, Hispanics were more likely than non-Hispanics to be victims of violent crime committed by gang members between 1998 and 2003. ICE has a special obligation to protect these and other communities from gang violence.

It is important to note that every single arrest under Operation Community Shield involves a violation of law, whether a criminal violation or an administrative immigration law violation. To date, 382 of those arrested under Operation Community Shield have been hit with criminal charges, ranging from racketeering and murder charges, to narcotics and firearms violations. The remaining 1,386 individuals arrested have been charged with violations of administrative immigration laws.

Furthermore, nearly half of those arrested under this initiative have previous convictions for criminal activity. A recent case in Los Angeles is representative. On Monday, December 19, ICE took custody of a Salvadoran national who was arrested by the Los Angeles Police Department last week for being in possession of a firearm and a member of the White Fence gang. This individual has a previous narcotics conviction and prior arrests for murder, robbery, vandalism, drug sales, cruelty to a child, driving under the influence, and grand theft. Clearly, this is not an individual that should remain on the streets.

Far from being an “overly broad dragnet,” ICE's Operation Community Shield is an intelligence-driven operation that targets specific gang members posing threats in communities. In targeting these gang members, ICE works closely with state and local law enforcement agencies that have the best information on local gang members posing the greatest public safety threats. Local police departments and community leaders around the country have expressed overwhelming support for the operation thus far.

All those arrested under Operation Community Shield are afforded full due process under the law. In cases in which criminal charges are brought, the defendants are afforded the same rights as every other criminal defendant in federal court. In cases in which administrative immigration charges are brought, the defendants are afforded the same rights as every immigrant in removal proceedings.

ICE

U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.